

**A G E N D A**  
**RIO DELL CITY COUNCIL**  
**REGULAR MEETING- 6:30 P.M.**  
**TUESDAY, MARCH 15, 2011**  
**CITY COUNCIL CHAMBERS**  
**675 WILDWOOD AVENUE, RIO DELL**

*WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.*

**THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS**

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. STUDY SESSIONS
- E. CEREMONIAL
- F. CONSENT CALENDAR

*The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS."*

- 1) 2011/0315.01 - Approve Minutes of the February 22, 2011 Special Meeting(ACTION) 1
- 2) 2011/0315.02 - Approve Minutes of the March 1, 2011 Joint Study Session (ACTION) 4
- 3) 2011/0315.03 - Approve Minutes of the March 1, 2011 Regular Meeting (ACTION) 8

- 4) 2011/0315.04 - Approve Pay Request No. 4 (Release of Retention) for Wendt Construction Co., Inc. in the Amount of \$ 17,911.60 for work related to the Fireman's Park Improvement Project **(ACTION)** 12
- 5) 2011/0315.05 - Approve Amendment No.6 for Winzler and Kelly Engineering, in the amount of \$12,000. For Additional Inspection and Support Services work related to the ARRA Roadway Improvement Project **(ACTION)** 12

#### G. SPECIAL PRESENTATIONS

#### H. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 1) 2011/0315.06 - Humboldt County General Plan Update **(DISCUSSION/ACTION)** 17
- 2) 2011/0315.07 - Home Beautification Contest **(DISCUSSION/ACTION)** 20
- 3) 2011/0315.08 - Continuing League of California Cities Membership **(DISCUSSION/ACTION)** 22
- 4) 2011/0315.09 - Railbanking for Preserving Right of Ways for Future County Use **(DISCUSSION/ACTION)** 24
- 5) 2011/0315.10 - PG&E PLUG-IN ELECTRIC VEHICLES (PEV) METERS **(DISCUSSION/ACTION)** 27
- 6) 2011/0315.11 - Quarterly Financial Reports Period Ending 12-31-10 **(DISCUSSION)** 37
- 7) 2011/0315.12 - Loan Portfolio Review Status Update **(DISCUSSION)** 41

#### M. ORDINANCES/SPECIAL RESOLUTIONS

- 1) 2011/0301.13 - Extension of Interim Emergency Ordinance, Prohibiting the Establishment of Medical Marijuana Dispensaries in the City of Rio Dell, and Repeal of Ordinance 266-2010 **(ACTION)** 42

#### N. PUBLIC PRESENTATIONS

*This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 5 minutes.*

O. REPORTS/STAFF COMMUNICATIONS

- 1) City Manager
- 2) Finance Director – 2011/2012 Budget Calendar (to be submitted before the March 15<sup>th</sup> meeting)
- 3) Chief of Police
- 4) Public Works Director

P. COUNCIL REPORTS/COMMUNICATIONS

Q. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

- 1) 2011/0315.14 - REAL PROPERTY NEGOTIATIONS Property: Prop 84 River Park  
Agency Negotiator: Ron Henrickson, City Manager  
(Government Code Section 54956.8)
- 2) 2011/0315.08 - REAL PROPERTY NEGOTIATIONS Property Acquisition  
Agency Negotiator: Ron Henrickson, City Manager  
(Government Code Section 54956.8)

R. PUBLIC COMMENT REGARDING CLOSED SESSION

S. RECESS INTO CLOSED SESSION

T. RECONVENE INTO OPEN SESSION

U. ORAL ANNOUNCEMENTS

V. ADJOURNMENT

*The next Regular meeting will be on April 5, 2011  
at 6:30 PM in the City Council Chambers*

**RIO DELL CITY COUNCIL  
SPECIAL MEETING  
FEBRUARY 22, 2011  
MINUTES**

A Special Meeting of the Rio Dell City Council was called to order at 5:30 P.M. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Marks and Thompson.

Absent: Councilmembers Barsanti and Leonard (arrived at 5:40 P.M.)

Others Present: City Manager Henrickson, Wastewater Superintendent Chicora, City Attorney Martinek and City Clerk Dunham

**SPECIAL PRESENTATIONS**

**Public Hearing - Wastewater Rate Adjustments**

City Manager Henrickson began by stating the purpose of the Special Meeting was to provide a presentation and conduct a public hearing on the proposed wastewater rate adjustment and allow citizens the opportunity to comment on the proposed increases.

City Manager Henrickson explained the reasons for the proposed wastewater rate increase and said the City was issued a Cease and Desist Order (CDO) in 2003 and again in 2005 by the North Coast Regional Water Quality Control Board mandating that the City change its method of treated wastewater disposal. He said the City also received an Administrative Civil Liability (ACL) Complaint in 2007 for not meeting wastewater performance treatment standards. Failure to address the CDO and ACL within the mandated timeframe will result in daily fees and potential conservatorship of the City's wastewater operation. After exploring potential effluent disposal sites and methods, and after several years of environmental and fiscal evaluation, and public outreach, a preferred project was identified. The project includes new and upgraded treatment processes at the current wastewater plant, and pastureland irrigation in Metropolitan. Phase I of the project was completed in 2010 and Phase II is anticipated to begin during the summer of 2011.

He further explained that the total cost of the project is estimated at approximately \$15,500,000 and to date the City has acquired a \$2.25 million grant and completed the first phase of the project and is aggressively pursuing permanent financing and anticipates securing an additional \$6.0 million grant and an estimated \$6.5 million loan to finance the remainder of the project costs. He said in order to secure a funding package necessary to finance project costs, the City must demonstrate the ability to fund debt service costs through a Prop 218 compliant wastewater rate increase.

Two rate increase options were presented for consideration: Option 1: \$8.24 per EDU per month; and Option 2: \$9.57 per EDU per month. He noted each option would provide for the daily costs of operation and maintenance to ensure reliable uninterrupted wastewater services, and funding for capital

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replacements and improvements to continuously meet wastewater quality and regulatory requirements, and for debt service on rehabilitation to wastewater infrastructure. He explained the difference between the two options is that Option 1 would include a 1.5% construction contingency and Option 2 a 2% construction contingency.

Henrickson said to date, the City has sent an information flyer to every property owner and utility customer within the City, facilitated two wastewater plant tours, and held two public hearings to ensure community input and Proposition 218 compliance.

City Manager Henrickson stated in lieu of a project estimate update received this week representing an approximate \$1 million increase in project costs, his recommendation was to approve Option 2 for a total wastewater rate of \$69.70 per EDU per month. He said he was hopeful the additional projected costs could be saved through the bid process but if not, another rate increase could be necessary.

Councilmember Marks asked if the bid estimate included all aspects of the project; City Manager Henrickson stated that it represented all project costs.

**Councilmember Leonard arrived at this time, 5:40 P.M.**

Councilmember Marks directed her question to Attorney Martinek and said she understood the City Attorney was required to sign off on all contracts and asked if it was an ordinance or policy of the City; Attorney Martinek stated he did sign off on the recent labor contracts for the City however; routinely it is done by the City Manager. He added that there was no hardened fast rule in place. City Manager Henrickson explained certain documents require a legal opinion especially if there is potential for long term liability to the City and said if the Council desires, an ordinance could be adopted to require that all contracts and agreements be signed by the Attorney. He noted the Attorney often reviews documents simply for form and not substance.

A public hearing was opened at 5:47 P.M. to receive public comment on the proposed wastewater increase.

**Dan Lomiglio** asked for clarification on the amount of grant funding versus loan funding within the proposed funding package; City Manager Henrickson reiterated that the City expected to acquire \$6 million in grant funding and the remaining \$6.8 million as a loan.

**Mr. Lomiglio** then asked if the City had the necessary permits in place and if the land had been purchased for the wastewater irrigation; City Manager Henrickson stated several permits were obtained and the City was currently negotiating the purchase of approximately 37 acres in Metropolitan.

**Donald Williams** asked how the transmission lines related to the sewer pipes at the existing wastewater treatment plant and asked why the City needed to purchase land; City Manager Henrickson explained the transmission lines were separate from the existing lines and the additional land was needed to disburse the treated effluent.

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**Mr. Williams** then asked what happens to the existing pasture land as far as use; City Manager Henrickson explained the land will not be able to be used for grazing as it would affect compaction however something will be able to be grown on the land.

**Mr. Williams** then commented that he was a senior citizen on a fixed income paying \$600.00 per month for rent which doesn't leave much for food and medicine, and that an increase would be a burden on many senior citizens.

City Manager Henrickson said he appreciated his situation but failure to adopt the new rate structure would result in the loss of grant funding, and inability to address the State mandates which would result in huge fines and potential conservatorship of the wastewater operation resulting in even higher rates.

City Manager Henrickson pointed out that the City will be considering a consumption based rate schedule which could benefit the smaller users but due to time constraints it was not possible at this time. He said the plan was to bring the idea back for discussion and public comment within three months.

There being no further public comment, the public hearing closed at 5:58 P.M.

City Clerk Dunham announced out of the 1,340 parcels in the City, 61 protest votes against the proposed wastewater rate increase were received. She indicated 671 votes or 50% + 1 were needed to overturn the rate increase.

**ORDINANCES/SPECIAL RESOLUTIONS**

Approve Resolution No. 1107-2011 Establishing Wastewater Rates

Motion was made by Thompson/Leonard making the finding that the protests in opposition to the wastewater rate increase are less than 51% of property owners and rate payers within the City; and therefore approving Resolution No. 1107-2011 Establishing Wastewater Fees and Charges at \$69.70 per EDU for Wastewater Customers Pursuant to Ordinance No. 207. Motion carried 4-0.

**ADJOURNMENT**

There being no further business to discuss the meeting adjourned at 6:05 P.M. to the March 1, 2011 Regular Meeting.

Attest:

\_\_\_\_\_  
Julie Woodall, Mayor

\_\_\_\_\_  
Karen Dunham, City Clerk

**RIO DELL CITY COUNCIL  
PLANNING COMMISSION  
STUDY SESSION  
MARCH 1, 2011  
MINUTES**

A Study Session with the Rio Dell City Council/Planning Commission was called to order at 5:30 P.M. by Mayor Pro Tem Marks.

**ROLL CALL:** Present: Mayor Pro Tem Marks, Councilmembers Barsanti, Leonard, and Thompson, Planning Commissioners Dave Gonzales, Andrew Gonzales, Millington and Sweaney

Absent: Mayor Woodall and Planning Commissioner Johnson

Others Present: City Manager Henrickson, Planning Consultant Williamson, and City Clerk Dunham

**STUDY SESSION MATTERS/PUBLIC HEARINGS**

Medical Marijuana Dispensaries

City Manager Henrickson explained the interim ordinance authorizing a moratorium on the legal establishment and operation of medical marijuana dispensaries within the City of Rio Dell is due to expire on March 19, 2011. He said there are a number of options the City can pursue including: 1) take no action and let the moratorium expire; 2) draft and adopt a ban on medical marijuana dispensaries; 3) draft and adopt regulations allowing dispensaries and limit the number; or 4) draft regulations allowing dispensaries with a limited number and also tax. He said this measure would have to be placed on the ballot for approval.

City Manager Henrickson stated considering the recent reduction in police department staffing, his recommendation at this time would be to adopt a ban on dispensaries however; the decision was at the discretion of the City Council. He said in discussions with the Chief of Police he learned that a letter was received from the Attorney General's Office warning jurisdictions to act cautiously regarding legalizing medical marijuana dispensaries.

Commissioner Gonzales (Dave) stated when Proposition 215 was passed it opened the door to growing marijuana legally but there was no ownership established on how to regulate those uses within a City and basically the burden was placed on local law enforcement. He commented that the Federal Drug Administration (FDA) oversees the regulation and transportation of pharmaceuticals to pharmacies but does not oversee transportation of medical marijuana to dispensaries and expressed concern regarding safety.

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JOINT STUDY SESSION  
Page 2**

Commissioner Sweaney stated until the Federal Government and the State gets together and imposes more specific regulations on the cultivation and sale of marijuana she does not think it would be prudent to allow dispensaries within the City.

Commissioner Millington stated that she cast the dissenting vote when the matter was brought before the Planning Commission previously because she wanted to see how the vote went at the November, 2010 General Election for the legalization of marijuana. Since it was voted down, she said she would now support a ban on medical marijuana dispensaries in the City. She further stated that she recently happened to be at a location where she was picking up a donation box where there were a row of medical suites and in the rear was a medical marijuana dispensary that was very professional looking and you would never know what it was unless you went inside.

Mayor Pro Tem Marks pointed out that there are still unresolved issues regarding the taxation of dispensaries and whether they qualify as non-profit organizations.

Councilmember Thompson said he has no desire to allow dispensaries within the City and pointed out various problems associated with 215 cards. He said he thought the City should take a stand to not recognize 215 cards or place the same restrictions as the City of Arcata where the use of propane tanks are prohibited and no more than 1200 watts of power may be used. He also expressed concern about vicious dogs in residential areas where there are grow houses and potential liability.

Councilmember Barsanti stated that grow houses under Prop 215 was a separate issue; City Manager Henrickson commented that the two issues cannot be combined and the issue at hand is whether to allow or ban medical marijuana dispensaries in the City of Rio Dell.

The consensus was unanimous to direct the City Manager to draft an ordinance to ban medical marijuana dispensaries in the City of Rio. City Manager Henrickson said the Council will need pass another ordinance extending the temporary moratorium on dispensaries to allow staff adequate time to develop the ordinance and necessary amendments to the Zoning and Business License Ordinances, and comply with the public hearing requirements.

Detachment of Blue Slide Road/Natural Resources Lands (Metropolitan)

City Manager Henrickson stated the reason for the proposed detachment of the Blue Slide Road are is to acknowledge that the assumption that the area would be subdivided into urban density did not materialize and thus the financial burden of maintaining the road is beyond the City's capability. The reason for detachment of the agricultural land is that the area was annexed because it was a potential site for wastewater disposal and that is no longer the case.



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JOINT STUDY SESSION  
Page 3**

He explained that the Government Code requires support from not less than 25 percent of the land owners of land in order for the Council to consider detachment. To date he said he received one petition in support of detachment of the Blue Slide area which is sufficient to move forward with the process. In regard to the agricultural land he said he was expecting at least one petition in support of the detachment.

Henrickson reported an estimate of \$10,000 - \$12,000 for processing of the detachment was received from the City Planner with a timeframe of 6-8 months for completion.

City Manager Henrickson said if a decision is made to not proceed with the detachment of Blue Slide he would be asking for approval of a budget amendment to allocate \$25,000 from reserve funds for temporary repairs to Blue Slide.

Councilmember Thompson asked what the chances were of LAFco approving the detachment; Planner Williamson explained one of LAFco's reasons for being is to protect natural resource/agricultural lands and the reason the annexation was approved was because the City had a specific use that was for the betterment of the public. Since that is no longer the case, he thought the City had a strong case. Regarding Blue Slide Road, he said it is very clear in the City record that when the annexation was petitioned and paid for by the applicant it was done for a particular reason and since the applicant did not fulfill his commitment to develop the area the City was left with potential liability of Blue Slide Road.

Councilmember Thompson said he was unclear regarding the understanding between the City and the developer (Micheli) regarding improvements to Blue Slide Road; Planner Williamson stated a major subdivision application was forthcoming and the City could have required road improvements under the Conditions of Approval in exchange for entitlement. When that changed and a two lot subdivision application was submitted, the City no longer had the option to require those improvements. He said there was discussion at that time regarding ownership of the roadway and with approval of the annexation application, a portion of Blue Slide Road was added to the City's road system.

Councilmember Marks stated that having agricultural land in the City limits seems to be a much smaller risk than having Blue Slide Road because of the condition of the roadway.

City Manager Henrickson said if the Council desired the application could be amended to request that only Blue Slide Road area be detached however, the cost would be much less to combine the two areas at the same time.

It was stated for clarification that the agricultural land the City is purchasing for wastewater disposal was not part of the land annexed into the City.

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JOINT STUDY SESSION  
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City Manager Henrickson reiterated that the action this evening is to simply provide direction to the City Manager to initiate detachment of the Blue Slide Road area and the Agricultural Lands, upon receipt of sufficient petitions from the property owners. Once direction is given, notices to land owners would be sent and public hearings scheduled.

Councilmember Leonard pointed out that Blue Slide Road was not included in the documents sent to LAFco when annexed and referred to the assessor parcel numbers listed on the application. Planner Williamson explained the annexation involved four parcels and said the only part of Blue Slide Road that may be an issue is that section of roadway by the Micheli property. City Manager Henrickson stated that he had a very good map that accurately shows the area which may help to clear up the confusion.

Councilmember Leonard said Blue Slide Road is what divides the Micheli property in half; City Manager Henrickson stated he could attest that the numbers from the County match with what the City has on file.

Consensus was to direct the City Manager to initiate detachment of the areas as described upon receipt of sufficient petitions and begin the notification process.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 6:25 P.M. to the March 1, 2011 Regular Meeting.

\_\_\_\_\_  
Melissa Marks, Mayor Pro Tem

Attest:

\_\_\_\_\_  
Karen Dunham, City Clerk

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
MARCH 1, 2011  
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 P.M. by Mayor Pro Tem Marks.

**ROLL CALL:** Present: Mayor Pro Tem Marks, Councilmembers Barsanti, Leonard, and Thompson

Absent: Mayor Woodall

Others Present: City Manager Henrickson, Chief of Police Hill, Finance Director Beauchaine, Wastewater Superintendent Chicora and City Clerk Dunham

**CONSENT CALENDAR**

Mayor Pro Tem Marks announced the items to be approved on the consent calendar and asked the staff, the public and the Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion.

Mayor Pro Tem Marks asked that Items 3 and 4 be removed from the consent calendar for separate discussion under *Special Call Items*.

Motion was made by Leonard/Thompson to approve the consent calendar including approval of minutes of the February 1, 2011 Joint Study Session (as revised); and approval of the minutes of the February 15, 2011 regular meeting. Motion carried 3-0; Councilmember Barsanti abstained from vote.

**SPECIAL CALL ITEMS/COMMUNITY AFFAIRS**

Approve Agreement with Winzler & Kelly for Review of the Wastewater Treatment Plant and Pipeline Design Drawings

Councilmember Marks asked if Winzler & Kelly would essentially be approving their own design since they provided the original pipeline design; City Manager Henrickson explained the Project never got to the final design phase and said Winzler & Kelly would actually be reviewing HDR's design plans for completeness and functionality as the third party review. In order to meet the deadline for funding of the project, his recommendation was to contract with Winzler & Kelly since there was not sufficient time to go out for proposals.

Motion was made by Leonard/Thompson to approve agreement with Winzler & Kelly for review of the Wastewater Treatment Plant and Pipeline Design Drawings. Motion carried 4-0.

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Approve Pay Request No. 3 for Wendt Construction Co., Inc. in the Amount of \$51,897.68 for Work Related to the Fireman's Park Project

Councilmember Marks referred to Page 1 (Item #3) of the Change Order for the purchase and installation of bathroom fixtures (toilet seat covers, toilet tissue and paper towel dispensers and trash receptacles) and asked why those items were not included in the original bid. City Manager Henrickson stated that Wendt Construction bid everything listed in the bid package but as an oversight Winzler & Kelly did not have the fixtures included on the bid list.

Motion was made by Leonard/Thompson to approve Pay Request No. 3 for Wendt Construction Co., Inc. in the amount of \$51,897.68 for work related to the Fireman's Park Improvement Project. Motion carried 4-0.

**ORDINANCES/SPECIAL RESOLUTIONS**

Public Hearing. Second Reading (by title only) and approval of Ordinance No. 271-2011 Surplus Property

Finance Director Beauchaine provided a staff report and stated the proposed Surplus Property Ordinance was drafted to set forth the City of Rio Dell's administrative policy for the transfer and disposition of surplus property, equipment, and materials. She said included in the policy are methods of disposal which include transfers between departments, trade-ins, returns to manufacturers, and disposal at auction, sealed bids, sale for scrap, and donation to non-profit entities.

Beauchaine stated she made the revisions to the ordinance as recommended at the last meeting when the ordinance was introduced.

Councilmember Thompson pointed out that it was agreed at the last meeting that language was to be added to say that the City Council be provided a written staff report on all actions involving surplus property but it was not included. Finance Director Beauchaine suggested Item 6 be added under *Section IV. Policy* to say that "Under the Direction of the City Manager, all actions involving surplus property be provided to the City Council in a written staff report."

A Public Hearing was opened at 6:40 P.M. to receive public comment on the proposed ordinance.

There being no public comment, the public hearing was closed.

Motion was made by Leonard/Thompson to conduct second reading (by title only) and approve Ordinance 271-2011 Surplus Property as amended. Motion carried 4-0.

**PUBLIC PRESENTATIONS**

None

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Henrickson reported on recent activities in the City Manager's department and provided an update on Wastewater Project II stating the project was on schedule and that HDR would be in town the next day; reported that the Fireman's Park Improvement Project was virtually complete and submitted a draft schedule of accounting on the project which showed the project went over by approximately \$3,000.00; the new playground equipment for Fireman's Park was in the process of being installed; and said there would be a ground breaking ceremony to follow.

Councilmember Marks said she understood that Winzler & Kelly agreed to refund \$10,000 of the engineering costs of the project; City Manager Henrickson clarified that Winzler & Kelly issued a credit and reduced project costs by \$15,000.

Finance Director Beauchaine submitted a Combined Balance Sheet for the quarter ending December 31, 2010 and provided highlights of the various funds. In summary she noted that overall the City's Operations Budget assumptions remain on target, and given recent challenges, the city was doing quite well. She also reported that she was moving forward through the hiring process for a staff accountant and expected to hold interviews the following week; budget study sessions would be forthcoming; and was happy to report that she had attended a CSFMO conference in Burlingame where the City received its first Budget Award for FY 2010-2011.

Chief of Police Hill reported on recent activities in the police department stating he received the preliminary draft on the Traffic Study and reported there were no significant changes in the current speed limits recommended, however the speed limit on Wildwood Ave. from Davis St. to Eagle Prairie Bridge would most likely be reduced from 30 MPH to 25 MPH.

Wastewater Superintendent Chicora reported on recent activities in the public works department and said public works was busy with the installation of the playground equipment at Fireman's Park and preparing for the inspection at the wastewater treatment plant next week.

## **COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Thompson reported on his attendance at the Redwood Coast Energy Authority and asked for Council consensus on the establishment of a home and garden beautification contest. Councilmember Marks suggested it be considered with the hiring of the new housing director. Consensus was to bring the matter back on the next agenda for consideration.

## **CLOSED SESSION**

At 7:03 P.M. Mayor Pro Tem Marks announced the items to be discussed in closed session as:

**MARCH 1, 2011 MINUTES**

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REAL PROPERTY NEGOTIATIONS Property: Monument Springs (Disposition) Agency  
Negotiator: Ron Henrickson, City Manager (Government Code Section 54956.8) and

REAL PROPERTY NEGOTIATIONS Property Acquisition Agency Negotiator: Ron  
Henrickson, City Manager (Government Code Section 54956.8)

The meeting adjourned to closed session at 7:05 P.M.

The meeting reconvened at 7:45 P.M. Mayor Pro Tem Marks announced there was no reportable  
action taken in closed session.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:46 P.M. to the March 15,  
2011 regular meeting.

Attest:

\_\_\_\_\_  
Melissa Marks, Mayor Pro Tem

\_\_\_\_\_  
Karen Dunham, City Clerk

675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532



To: Honorable Rio Dell City Council  
Through: Ron Henrickson, City Manager *[Signature]*  
From: Carla Ralston, Public Works Admin. Tech.  
Date: March 15, 2011  
Subject: **Fireman's Park Improvement Project Payment Request No. 4 for Wendt Construction Co., for Release of Retention**

**Recommendation**

Authorize Release of 10% Retention to Wendt Construction Co., in the amount of \$17,911.60 for work performed on the Fireman's Park Improvement Project.

**Budgetary Impact**

\$17,911.60 of the Retention Payment is funded by the City's Per Capita Grant Program Bond Act of 2002 for the Fireman's Park Improvement Project.


**Discussion**

The Fireman's Park Improvement Project is complete. The project "Notice of Completion" has been filed with the County Clerk's Office. The City anticipates no "Stop Payment Notices" in response to the filing of the "Notice of Completion", and once Wendt Construction Co., has signed the required "Conditional Waiver and Release upon Final Payment payment for the remaining 10% Retention be released.

675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532



To: Honorable Rio Dell City Council

Through: Ron Henrickson, City Manager 

From: Randy Jensen, Acting P.W. Director and Carla Ralston, Public Works Admin.

Date: March 15, 2011

Subject: Amendment No. 6 to Scope of Services for the ARRA Wildwood Avenue Paving Improvement Project.

### **Recommendation**

Direct City Manager to Approve a **Modified** Amendment No. 6 to Scope of Services (to be submitted before the March 15<sup>th</sup> meeting.)

### **Budgetary Impact**

\$ 12,000.00 to be funded by Proposition 1B funds.

### **Discussion**

The Construction Contractor made modifications during the construction phase of the project at the Cities request. Due to that change, additional construction support management was needed from Winzler and Kelly beyond the cost estimates made by Winzler and Kelly.

In addition, funding for this project come from ARRA and subsequently resulted in the City being audited. Additional support was provided by Winzler and Kelly during the audit process.

### **Attachments:**

Amendment No. 6 to the Scope of Services for the ARRA Wildwood Avenue Paving Improvement Project from Winzler & Kelley Consulting Engineers.





WINZLER & KELLY

**MEMORANDUM**

**TO:** Ron Henrickson  
**FROM:** Merritt Perry  
**DATE:** 3-8-11  
**RE:** **Amendment No. 6 for Additional Inspection and Support Services  
ARRA Roadway Improvement Project – Federal Aid Project No. ESPL-  
5396(006)**  
**JOB #:** 0106109009

Ron:

As we have discussed, Winzler & Kelly is requesting an amendment to our agreement for construction management services as outlined on the attached Amendment and Scope of Services. This amendment is necessitated because of additional effort required on the project.

As you know, we provided an initial time and materials estimate of the amount of effort it would take to provide construction support services that our original contract was based on. However, a number of things have changed and so additional effort is needed to provide ongoing construction support services. Specifically, have had to provide additional services related to expansion of the contractor scope to remove sidewalks and curb ramps after initial installation, additional construction days beyond anticipated and to support the City during the ARRA audit.

We are completing this project on a time and materials basis to provide the services to meet the project needs and to support the City throughout the process. We are requesting to augment the budget by \$12,000 for a new total of \$154,240. We will continue to work with you and the other City staff to support the City to the successful completion of the project.

Please feel free to contact me if you have any questions or comments.

**AMENDMENT 6  
BETWEEN THE CITY OF RIO DELL  
AND WINZLER & KELLY**

**FOR ADDITIONAL CONSTRUCTION MANAGEMENT SUPPORT  
SERVICES FOR THE WILDWOOD AVENUE PAVING AND PEDESTRIAN  
IMPROVEMENT PROJECT– FEDERAL AID PROJECT NO. ESPL-5396(006)**

This scope of services relates to a prime agreement dated October 10, 2003 between the City of Rio Dell and Winzler & Kelly Consulting Engineers and the Agreement for the subject project dated April 3, 2009. All provisions of the prime agreement apply to this scope of services unless noted otherwise in this agreement.

**INTRODUCTION**

Winzler & Kelly completed the programming and design for this project which involves rehabilitation of Wildwood Avenue in an established area of mixed residential, businesses, and a traffic corridor. Winzler & Kelly provided construction management support services using a time and materials approach based on an identified scope.

The actual contractor's work and the requests of funding agencies have changed the project requirements, and hence change the scope of needed construction support services. This scope amendment provides additional funds to be used on a time and materials basis to provide additional project support.

**SCOPE OF SERVICES**

**ARRA Audit:** The ARRA process is new and the original scope did not include an allowance for audit support. However, an ARRA audit has been requested and Winzler & Kelly is preparing the materials requested for the audit and will provide support during the audit.

**Expansion of Contractor Scope and Additional Construction Days:** The contractor's scope was expanded during the project and completion of the original and added work took more construction days than originally in the contract. Therefore we needed to provide additional construction management support during this extended contract period.

**COMPENSATION**

Winzler & Kelly is completing this project on a time and materials as needed basis to provide the services in support of the project and the City throughout the process. An additional allowance of \$12,000 is associated with this scope to provide additional services. If further services are required beyond what can be provided by this additional allowance, then a separate scope and budget will be prepared.



WINZLER &amp; KELLY

**AMENDMENT TO  
AGREEMENT BETWEEN CLIENT AND CONSULTANT**

Amendment No. 6 to Agreement dated April 3, 2009 between Winzler & Kelly (Consultant) and City of Rio Dell (Client).

Project: ARRA Roadway Improvement Project – Federal Aid Project No. ESPL-5396(006).

Client hereby requests and authorizes Consultant to perform additional and/or revised services as set forth in this Amendment.

Scope of services as set forth below or in specified attachment(s).

See attached Exhibit A – Scope of Services & Fee Proposal for Additional Construction Support Services Construction – Wildwood Avenue Rehabilitation Project.

Terms of compensation as set forth below or in specified attachment(s).

Time & Materials Basis Not to Exceed \$12,000

All provisions specified in the original Agreement dated April 3, 2009 and our Prime Agreement dated October 10, 2003 are in effect. No other agreements, guarantees, or warranties are in effect.

IN WITNESS WHEREOF, the parties hereby execute this amendment upon the terms and conditions stated above.

Client City of Rio Dell

By \_\_\_\_\_

Print Name Ron Henrickson

Title City Manager

Date \_\_\_\_\_

Consultant Winzler & Kelly

By \_\_\_\_\_

Print Name Steven Allen **STEVE McHANEY**

Title Managing Principal

Date 3/10/11

|                    |                 |                 |                  |
|--------------------|-----------------|-----------------|------------------|
| Original Agreement | <u>\$10,500</u> | Amendment No. 5 | <u>\$5,740</u>   |
| Amendment No. 1    | <u>\$9,000</u>  | Amendment No. 6 | <u>\$12,000</u>  |
| Amendment No. 2    | <u>\$25,000</u> | TOTAL           | <u>\$154,240</u> |
| Amendment No. 3    | <u>\$5,000</u>  |                 |                  |
| Amendment No. 4    | <u>\$87,000</u> |                 |                  |



*675 Wildwood Avenue*

*Rio Dell, CA 95562*

*(707) 764-3532*

TO: Honorable Rio Dell City Council  
FROM: Ron Henrickson, City Manager *RH*  
DATE: March 15, 2011  
SUBJECT: Humboldt County General Plan Update (GPU)  
ATTACHMENT: City of Eureka Letter of March 1, 2011

**Council Action:**

- A. Direct City Manager to take no action.
- B. Direct City Manager to prepare a letter for the Mayor's signature.

**City Manager recommendation:** At the pleasure of the Council.

**Background:** For about the last twelve years Humboldt County has been working on updating the General Plan, but it is not yet complete. As the attached letter from the City of Eureka summarizes, Eureka has concerns about the degree of public involvement in the plan. Eureka is requesting Humboldt County not proceed on the plan without further input from cities and districts.

Given my short tenure in Humboldt County I am not familiar with the history and degree of community and local governmental involvement in formulation of the General Plan. If the Council believes their voice has not been heard or expressed in the plan perhaps more input would be useful.



## CITY OF EUREKA

531 K Street • Eureka, California 95501-1146 • (707) 441-4200

MAYOR

March 1, 2011

Mark Lovelace, Chairman  
Humboldt County Board of Supervisors  
825 5th Street  
Eureka, CA  
95501

***RE: Humboldt County General Plan Update***

Dear Chairman Lovelace and Board Members,

The City Council of the City of Eureka has asked that I write to the Humboldt County Board of Supervisors voicing the City Council's concerns related to the Humboldt County General Plan Update (GPU) process. Representing the citizens of Eureka, we believe the Board of Supervisors should put the GPU process on hold and give consideration to the concerns listed below. We believe that a more inclusive, well-drafted and less controversial GPU is possible to develop and can be presented to the public in a manner that provides for the future stability and sustainability of our county.

The local Community Plans were primarily developed and updated by the use of Citizen Advisory Committees. These plans were developed and implemented with little of the controversy evident in this GPU. Utilizing this method for the GPU is authorized by the existing Framework Plan and is a tried and true method of community involvement.

Started in 1999 and with expenditures now in the millions of dollars, it is still an incomplete document that is confusing and far from adequate. It is full of unnecessary complexities that add uncertainties to the land use activities surrounding our jurisdictions. It fails to adequately address circulation and infrastructure in a clear concise manner that will be supported by the community. It begs the question – how do we pay for its implementation?

**Page 2**

**RE: Humboldt County General Plan Update**

The GPU has outlived seven Supervisors and nine Planning Commissioners. Our county would be better served if this GUP were put on hold pending a public review of the authorizing policy guidelines. The county as a whole will benefit by moving forward with a clear, concise document that is well written and appropriate for the times.

It is incumbent upon us as elected representatives of our communities, to ensure that the policies and measures in this document do not unfairly burden any segment of our communities. Therefore, we believe that Citizen Advisory Committees as provided for in section 1550 et seq. of the current General Plan are a necessity in making this process inclusive.

Please take the time to consider our concerns and suggestions, and more importantly, to put the process on hold until a review of the policies and guidelines has been undertaken and meaningful input from the cities and districts is considered.

Sincerely,

Frank Jager, Mayor

CC: City Council of the City of Eureka

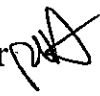


*675 Wildwood Avenue*

*Rio Dell, CA 95562*

*(707) 764-3532*

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager 

DATE: March 15, 2011

SUBJECT: Home Beautification Contest

ATTACHMENT: Contest Elements

**Council Action:**

- A. Direct City Manager to take no action.
- B. Direct City Manager to prepare a contest program for implementation.

**City Manager recommendation:** While I am supportive of the concept, I would prefer the City implement this program next year. At present City staff are fully occupied on a number of Council directed significant project tasks and simply do not have the resources to undertake this program.

**Background:** As directed by the City Council the City is about to embark on a major effort to address housing in our community. On March 14, 2011, the City hired a Housing Program Director who will be very busy developing new ordinances for Council consideration and attempting to identify sources of funding to assist residents with home rehabilitation. Once these new efforts have been instigated more time will be available to explore a variety of programs, including the above program.

## Rio Dell Home and lawn beautification contest.

1. To enter: Bring a picture of your present home & lawn.
2. Pay the contest entry fee of \$ ???.00 that begins July 01, 2011.
3. Items that count: Clean front yard, flowers and maintenance repairs to home, new paint, new windows and new roofs.
4. Contestants will receive a special rate on their water for July and August.
5. Drawing for winner on Sept 15, 2011.
6. First place will win \$ ????.00
7. Second place will win \$ ???.00.
8. Third place will win \$ ???.00.
9. If a tie for any place, winner will be chosen by a drawing.






675 Wildwood Avenue

Rio Dell, CA 95562

(707) 764-3532

TO: Honorable Rio Dell City Council  
FROM: Ron Henrickson, City Manager   
DATE: March 15, 2011  
SUBJECT: Discussion – Continuing League of California cities  
Membership  
ATTACHMENT: Invoice

**Council Action:**

- A. Direct City Manager to continue membership.
- B. Direct City Manager not to renew membership.

**City Manager recommendation:** At the pleasure of the Council.

**Background:** The City has been a member of the League of California Cities for at least the last several years. Given our budget constraints the question is whether it is prudent to continue membership. Since my arrival I have not found the League particularly beneficial to the interests of Rio Dell sufficient to offset the expenditure.

# INVOICE



1400 K Street, Sacramento, California 95814  
Phone: 916.658.8200; Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

To: City Manager  
City of Rio Dell  
675 Wildwood Avenue  
Rio Dell, CA 95562

Invoice: 105741

Terms: Jan. 31, 2011

| <u>Date</u> | <u>Description</u>                                                                          | <u>Amount</u> |
|-------------|---------------------------------------------------------------------------------------------|---------------|
| 12/21/2010  | Membership dues for calendar year 2011<br><br>City of Rio Dell<br>Official Population 3,295 | \$2,344.00    |
|             |                                                                                             | REMINDER      |

## Strategic Priorities for 2011

- Strong partnerships for a stronger golden state to reform and revitalize state government and the intergovernmental system.
- Sustainable and secure public pension systems.
- Responsive and accessible League services.

*Our mission is to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.*

League Membership - Your Best Investment

[www.cacities.org](http://www.cacities.org)

Please make checks payable to  
**LEAGUE OF CALIFORNIA CITIES**  
and mail to the above Sacramento address.

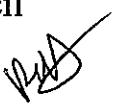


*675 Wildwood Avenue*

*Rio Dell, CA 95562*

*(707) 764-3532*

TO: Honorable Rio Dell City Council

FROM: Ron Henrickson, City Manager 

DATE: March 15, 2011

SUBJECT: Discussion - Railbanking

ATTACHMENT: February 18, 2011, Letter to North Coast Railroad Authority

**Council Action:**

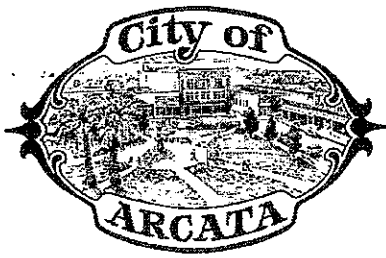
A. Take no action.

B. Direct City Manager to prepare a letter for the Mayor's signature.

**City Manager recommendation:** At the pleasure of the Council.

**Background:** The future of the non-operating rail line between Garberville and Crescent City has been a subject of discussion for a number of years. Of interest to Rio Dell is the segment on the east side of the Eel River.

Railbanking is a method of preserving the right of way for future use as a regional trail. This has been a very successful strategy in many other areas of the country. Overland biking is a growing tourist industry and could play a significant role in building new economic growth.



736 F Street Arcata, California 95521

City Council  
822-5953

City Manager  
822-5953

Public Works  
822-5957

Police  
822-2428

Community Development  
822-5955

Environmental Services  
822-8184

A&MRTS  
822-3775

Finance  
822-5951

Recreation Division  
822-7091

FAX  
822-8018

February 18, 2011

Executive Director Mitch Stogner and the Board of Directors  
North Coast Railroad Authority  
c/o Mitch Stogner, Executive Director  
419 Talmage Road, Suite M  
Ukiah, CA 95482

**Re: Arcata City Council Request for the North Coast Railroad Authority to take steps to preserve the integrity of the Humboldt County Railroad Rights-of-Way including investigation of railbanking as a method of preservation.**

Dear Mr. Stogner and Honorable Board of Directors:

During the January 19<sup>th</sup> Arcata City Council meeting, the Council received input from the public and discussed the value of the North Coast Railroad rights-of-way for future train, trail and other public uses. There continues to be growing local concern, which we are certain that you share with us, regarding the state and condition of the non-operating railroad, the lack of maintenance and overgrown nature of the corridor.

The City of Arcata would like to express our support for, and encourage you as an agency to investigate and implement measures that would preserve the public use aspect of the rights-of-way. During this investigation, we encourage you to review the option of railbanking. The Council believes that the benefits of railbanking include:

- Preservation of the rights-of-way, including easements that would otherwise revert back to adjacent landowners, while relieving the railroad operating entity of maintenance responsibility and tax liability.
- Ensures the potential for future restoration of rail service.
- Allows for trails, tourist trains and other public benefit uses both now and if/when rail service is restored.

The City is continuing to further designs for a 4.2 mile stretch of trail between Sunset Ave. and the Hwy 101/Bracut intersection in partnership with the NCRA. These designs are in their final internal review process and will be coming to you for review soon. This project includes a preferred alternative that is a "rail with trail" project. Corridor preservation is equally important to this type of use that is within the corridor but not located on the existing prism or tracks.

The City of Arcata would be happy to be a partner as you explore these options and as you take the important steps necessary to protect the public use of these important rights-of-way. We ask that you place

this discussion on the agenda of your next meeting scheduled in Humboldt County on March 9<sup>th</sup> for you to hear the concerns first-hand and to work with the community to identify next steps.

If you have any questions, please feel free to contact me or the City Manager, Randy Mendosa at 707.825.5953 or [rmendosa@cityofarcata.org](mailto:rmendosa@cityofarcata.org).

Sincerely,

Susan Ornelas, Mayor  
City of Arcata


c.c.     Cliff Clendenen, North Coast Representative to the NCRA  
           Linda Adkins, North Coast Representative to the NCRA  
           Mark Lovelace, Arcata Representative to the Humboldt County Board of Supervisors



*675 Wildwood Avenue*

*Rio Dell, CA 95562*

*(707) 764-3532*

TO: Honorable Rio Dell City Council  
FROM: Ron Henrickson, City Manager   
DATE: March 15, 2011  
SUBJECT: Discussion – PG&E PEV Meters  
ATTACHMENT: PG&E Letter of February 22, 2011

**Council Action:**

- A. Direct City Manager to inform PG&E City will permit PEV meters.
- B. Direct City Manager to inform PG&E City will not permit PEV meters.

**City Manager recommendation:** At the pleasure of the Council.

**Background:** PG&E has developed a new program to serve the growing number of plug-in electric vehicles (PEVs) in its service area. The new service involves installation of a second stand alone meter in the garage.

The question is whether the City wants to allow such meters. The difficulty is twofold: first, that such meters could enable unauthorized development of living spaces: and secondly, that such meters could enable unauthorized uses of space for other activities. Given the circumstances involved I would have reservations about allowing PEV meters.



***Pacific Gas and  
Electric Company***

245 Market Street  
San Francisco, CA 94105

February 22, 2011

Mr. Ron Henrickson  
City Manager  
City of Rio Dell  
675 Wildwood Ave.  
Rio Dell, CA 95562

Dear Mr. Henrickson:

The Chevrolet Volt and Nissan Leaf plug-in electric vehicles (PEVs) were recently launched in the Bay Area and supported by a large marketing effort from auto manufacturers due to the high number of early adopters living in this region. In preparation for the increased demand for home charging stations, Pacific Gas and Electric Company (PG&E) is readying the electric grid, updating our fulfillment processes, codes and standards, and reaching out to building officials in our service area to ensure a streamlined, coordinated program that meets the growing needs of our customers.

PG&E has been partnering with auto manufacturers, state regulators and other utilities to ensure we take appropriate actions to support PEV ownership in California. One common goal is to make PEV ownership cost effective. PG&E offers our PEV customers special rates, E9A and E9B. These are time-of-use rates, which provide lower cost charging during off-peak hours (midnight to 7 a.m.) and encourage customers to shift their electric load during times of low demand, thus minimizing grid impacts.

Additionally, the E9B rate employs a second meter to separately measure electricity used to charge the PEV. This rate is more affordable for many customers who expect to do at least a moderate amount of battery recharging.

We have learned of concerns in city building departments regarding the installation of separate meters at residences due to the potential threat of increased illegal sub-units. We understand this concern and would like to provide additional information to clarify how we can provide distinct metering options to PEV owners, while limiting the possibility of illegal sub-units.

To address this concern, I have included our standards and requirements for PEV charging circuits. As shown in the diagrams, a PEV charging circuit is a hardwired dedicated circuit, typically at 40 amps, 208/240 volts. No other outlets or branch circuits are recommended in these configurations; therefore, additional load would not be supported. If a resident modified the circuit after it was installed, inspected and approved, they would be in violation of local building code and the permit the circuit was provisioned under.

In addition, the following signage will be affixed to both metering panels as follows:

1. Main Panel – "Caution: This premise has a second meter for PEV charging equipment"
2. Second Panel – "Dedicated to PEV charging equipment only. Other loads must not be connected."

PG&E hopes to continue our partnership with the City of Rio Dell to work collaboratively in preparing our PEV customers and addressing any related issues as they arise. PG&E respectfully requests that the City of Rio Dell approve this request to allow the separate metering of PEVs consistent with the standards provided herein as attachments. We also welcome and encourage an ongoing dialog with the City to ensure that electric service safety and reliability are maintained, while accommodating the next wave of innovation in the transportation sector.

Please contact me with any questions you may have.

Best Regards,



Jessica LaPonsey  
Program Manager, Plug-In Electric Vehicles  
Pacific Gas and Electric Company  
Desk: 415-973-8843  
Cell: 415-308-9814  
Email: jkle@pge.com

Attachments:

1. PG&E Standards and Requirements for PEVs





## **PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections**

### **Summary**

This bulletin describes the requirements for the various metering and connection options to serve Plug-in Electric Vehicles (PEV) and Electric Vehicle Supply Equipment (EVSE). These requirements apply only to residential customers. Please refer to the 2010 *Electric and Gas Service Requirements (Greenbook)* for additional service and metering information.

### **Affected Document**

2010 *Greenbook*.

### **Target Audience**

PG&E residential customers connecting Plug-In Electric Vehicles. PG&E employees who perform customer contact or electric meter field work.

### **What you need to know**

## **Plug-In Electric Vehicle (PEV) Interconnection**

### **PG&E Standards and Requirements**

#### **General Requirements:**

Basic illustrations are provided to show the options that an existing PG&E residential customer has to connect and meter plug-in Electric Vehicle Supply Equipment (EVSE). Local or state officials may stipulate additional provisions for installation of the EVSE system. All customer electric service and meter installations must be reviewed and approved by Pacific Gas and Electric Company. For questions regarding PG&E's PEV requirements, please contact the New Construction Service Center (NCSC) at 877-743-7782.



## **PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections**

### Specific Requirements:

1. Customers must notify PG&E of the additional electrical load before connecting a PEV. The increased load may require the electric service cables, conduit, and meter panel to be upgraded. See note (1) below.
2. All installations must be approved by PG&E and the local (city/county) inspection agency or the authority having jurisdiction.
3. The E-9A Time-of-Use (TOU) rate is optional for residential PEV customers who elect to remain with a single meter. See note (2) below.
4. The E-9B TOU rate is mandatory for residential PEV customers who elect to meter their PEV usage separately. See note (2) below.
5. This bulletin does not apply to commercial, industrial, and agricultural customers. They are served under existing PG&E rates and rules.
6. E-9B Rate signage for multi-meter panel: PG&E will permanently attach signage to the front of the panel and next to the dedicated electric vehicle meter stating, "Dedicated to PEV charging equipment only; other loads must not be connected."
7. E-9B Rate signage for two meters, one on each panel: PG&E will permanently attach signage to the front of each meter panel as follows:
  - a. On the main panel stating, "Caution: This premise has a second meter for PEV charging equipment."
  - b. On the second panel stating, "Dedicated to PEV charging equipment only; other loads must not be connected."
8. Dual meter socket adapters are not approved for use.
9. A customer owned generation system (e.g. solar, wind) is allowed to be connected to the E-9B meter panel. The energy generated cannot serve both (E-9B and house) meters. Customers that want to supply generation energy to both meters will need to add a separate generation system and request a second Net Energy Metering (NEM) account. See note (5) below.

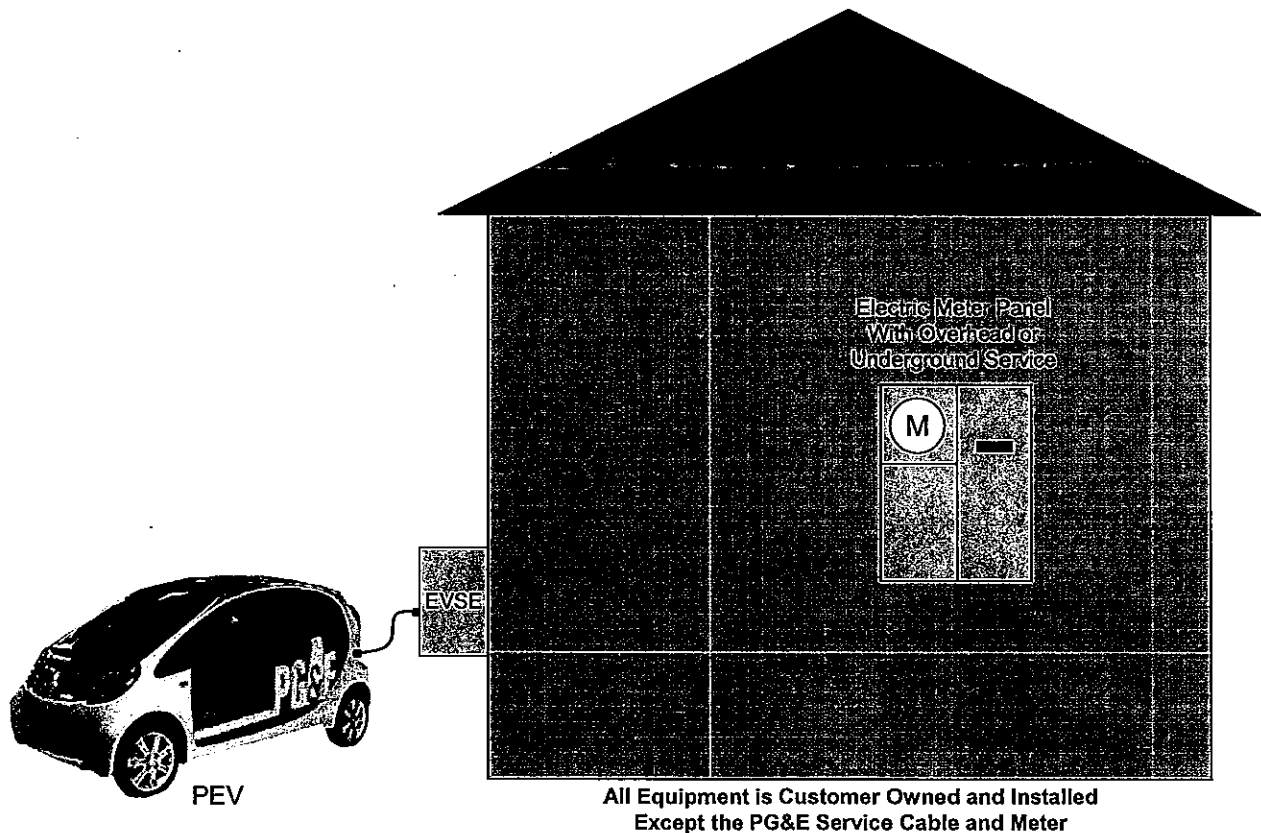
### Note:

- (1) Refer to PG&E's Electric Rule 16 for service upgrade information.
- (2) Refer to PG&E's Electric Rate Schedules for current information.
- (3) Refer to the 2010 *Electric and Gas Service Requirements (Greenbook)* for additional information.
- (4) Information for new business customers is on the New Construction Service Center (NCSC) website.
- (5) PG&E's Generation Interconnection Services (GIS) may be reached at [gen@pge.com](mailto:gen@pge.com) or leave a message on their hotline: 415-972-5676.



## PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections

**Residential: E-9A Time Of Use (TOU) rate - Optional**  
Single-Meter Panel option for House and Electric Vehicle Load.



### Pros:

- No second meter panel installation
- Low off peak TOU rate

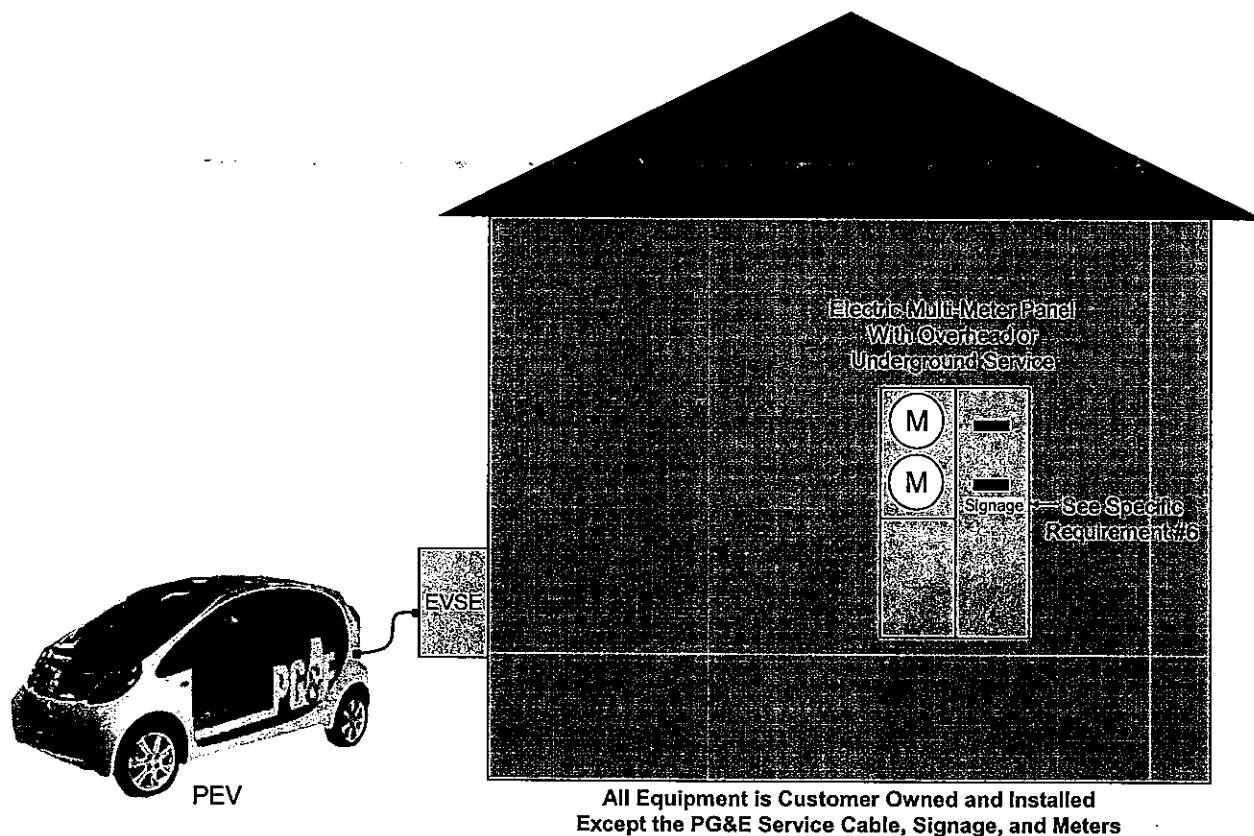
### Cons:

- Easier to exceed lower tiered baselines
- Panel upgrade may be required due to added EV load
- High peak TOU rate



## PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections

**Residential:** E-9B Time Of Use (TOU) rate  
Multi-Meter Panel option for House and Electric Vehicle Load.



### Pros:

- Maintain existing rate schedule for house load
- Separate baseline allotment for EV load

### Cons:

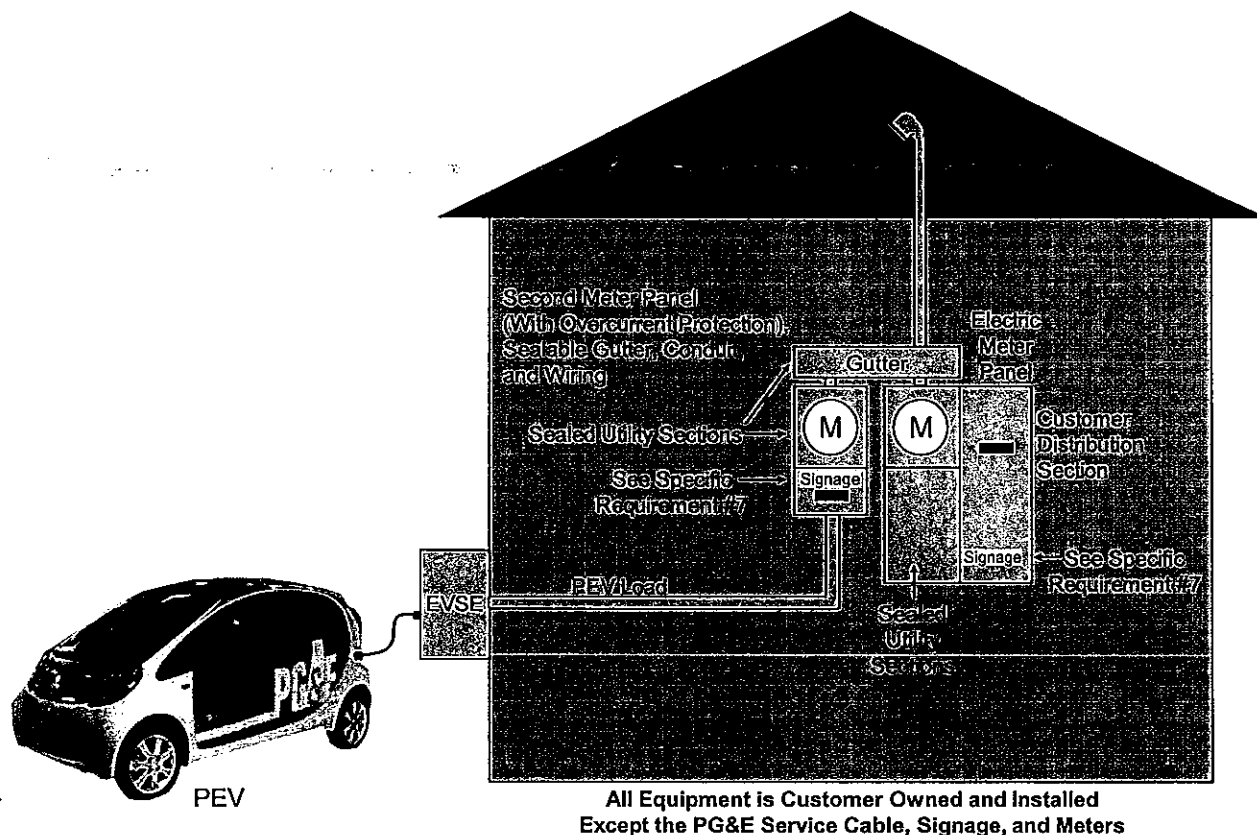
- Additional expense for multi-meter panel installation
- Service upgrade may be required due to added EV load



## PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections

### Residential: E-9B Time Of Use (TOU) rate

Second-Meter Panel Option Connected to Existing Meter Panel; Overhead Service



#### Pros:

- Existing panel upgrade may not be required
- Maintain existing rate schedule for house load
- Separate baseline allotment for EV load

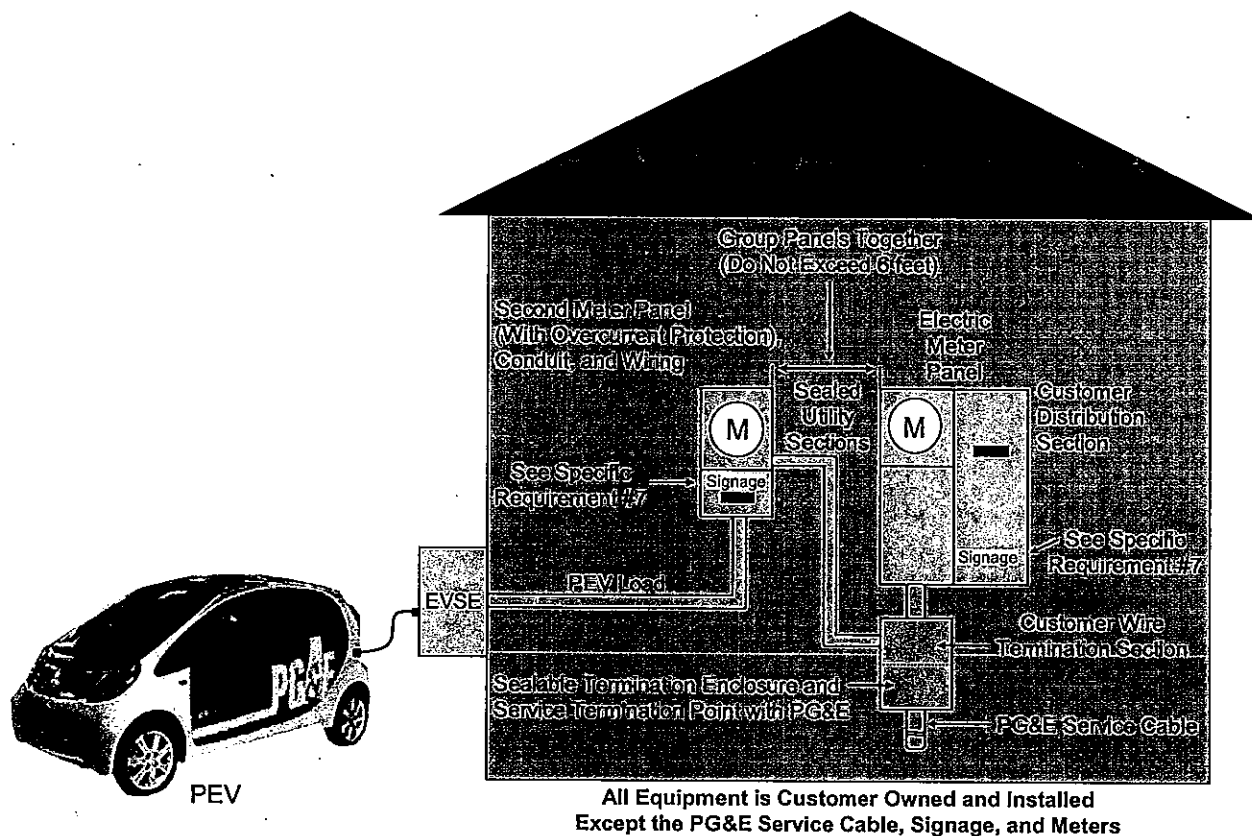
#### Cons:

- Additional expense to accommodate second-meter panel installation
- Not allowed by all local (city/county) inspection agencies or the authority having jurisdiction

## PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections

### Residential: E-9B Time Of Use (TOU) rate

Second-Meter Panel Option Connected to Existing Meter Panel; Underground Service



#### Pros:

- Existing panel upgrade may not be required
- Maintain existing rate schedule for house load
- Separate baseline allotment for EV load

#### Cons:

- Additional expense to accommodate second-meter panel installation
- Service upgrade may be required due to added EV load
- Not allowed by all local (city/county) inspection agencies or the authority having jurisdiction



## **PG&E Standards and Requirements for Plug-In Electric Vehicle Interconnections**

**Approved By** Roozbeh (Rudy) Movafagh - Manager, Electric Distribution Standards and Strategy

---

**Document Contact** Daniel Jantz – Senior Distribution Specialist, 8-223-6664, 415-973-6664

---

**Inclusion Plan** This bulletin will be Incorporated into Appendix B of the 2011 *Greenbook*.

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**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
March 15, 2011**

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: March 15, 2011

SUBJECT: **Quarterly Financial Reports for the Period Ending 12/31/2010**

**RECOMMENDATIONS**

Continue discussion on the Quarterly Financial Reports for the Period Ending 12/31/2010.

**BACKGROUND AND DISCUSSION**

The City's Financial Reports for the Period Ending 12/31/2010 were presented at the regularly scheduled City Council Meeting held on March 1, 2011. At the Council's request, the Financials have been placed on the agenda as a discussion item since not all the council members were present on March 1, 2011.



**City of Rio Dell**  
**Period Ending 12/31/2011**  
**Operations Budget**

| Fund                  | YTD<br>2010-2011 |                | YTD<br>2010-2011 |                | YTD<br>2010-2011   |                    | YTD<br>2010-2011 |           | Variance | %           | YTD<br>2010-2011<br>Expenditure Actual | Variance    | %   |
|-----------------------|------------------|----------------|------------------|----------------|--------------------|--------------------|------------------|-----------|----------|-------------|----------------------------------------|-------------|-----|
|                       | Revenue Budget   | Revenue Actual | Revenue Budget   | Revenue Actual | Expenditure Budget | Expenditure Actual |                  |           |          |             |                                        |             |     |
| General Fund          | \$               | 753,177        | \$               | 132,294        | \$                 | 790,489            | \$               | 392,411   | \$       | (398,078)   | \$                                     | (398,078)   | 50% |
| Streets Funds         | \$               | 163,000        | \$               | 79,536         | \$                 | 164,616            | \$               | 86,757    | \$       | (77,859)    | \$                                     | (77,859)    | 53% |
| Sewer Funds           | \$               | 641,292        | \$               | 344,278        | \$                 | 679,262            | \$               | 348,632   | \$       | (330,630)   | \$                                     | (330,630)   | 51% |
| Special Revenue Funds | \$               | 101,805        | \$               | 34,736         | \$                 | 119,245            | \$               | 33,121    | \$       | (86,124)    | \$                                     | (86,124)    | 28% |
| Water Funds           | \$               | 539,630        | \$               | 321,399        | \$                 | 542,010            | \$               | 221,862   | \$       | (320,148)   | \$                                     | (320,148)   | 41% |
| Total                 | \$               | 2,198,904      | \$               | 912,243        | \$                 | 2,295,622          | \$               | 1,082,783 | \$       | (1,212,839) | \$                                     | (1,212,839) | 47% |

\* The budget figures presented represent all fiscal activity through the period ending December 31, 2010, which is equivalent to the City's first two quarters or, 50%.

**Citywide Budget Highlights**

As of 12/31/2010 the City has received 41% of anticipated annual operations revenues, and expended 47% of operations funds appropriated. Revenues continue to be proportionately low as the City's first property tax disbursement is not received until the 3rd quarter. Overall the City's Operations Budget assumptions remain on target.

**General Fund Highlights**

General Fund Revenues received through 12/31/2010 represent a mere 18% of annual projections as a result of the property tax disbursement schedule. The first property tax disbursement will be received during the next quarter. Building related revenues are 12% lower than the mid year projection, and 32% less in comparison to the prior year. Overall annual revenue projections for the General Fund remain unchanged. General Fund Expenditures to date are on target with 50% of funds appropriated spent to date.

**Streets Fund Highlights**

Streets Revenue receipts represent 49% of budgeted projections, and expenditures to date represent 53% of funds appropriated. Activities within this fund group are relatively limited, but continue to perform as projected.

**Sewer Fund Highlights**

The City has received 54% of budgeted Sewer Fund Operations Revenues to date, and expended 51% of funds appropriated. The City's improved shut-off and collection procedures are reflected in the additional shut-off fee revenue, which to date has already surpassed the annual projection by 17%.

**Water Fund Highlights**

Water Fund Revenues have exceeded projections by 10% this mid-year quarter. Like Sewer, the improved shut-off and collections practices have resulted in additional fees in excess of annual projections. Conversely, water fund expenditures have been less than projected and represent only 40% of annual funds appropriated. This is partially as a result of the restructuring and elimination of the Public Works Position.

City of Rio Dell  
Period Ending 12/31/2011  
Operations Budget

Special Revenue Fund Highlights


Special Revenue Fund Receipts at mid-year represent 34% of revenues budgeted. Although receipts are proportionately low, this is common within the special revenue fund group as many of the receipts are derived from grant and state subvention funding which does not allow for regular disbursements. Expenditures to date represent only 28% of funds appropriated as expected with relation to grant activities which are not equally distributed through the calendar year. Activities within this fund group are on target with

City of Rio Dell  
Combined Balance Sheet with All Funds  
December 31, 2010

|                                                 | Balance                     |
|-------------------------------------------------|-----------------------------|
| <b>Assets and Other Debits</b>                  |                             |
| Cash & Cash Equivalents                         | 870,961.51                  |
| Cash Held in Trust                              | 0.00                        |
| Investments                                     | 0.00                        |
| Receivables: Assessments                        | 200,000.00                  |
| Accounts Receivable                             | 162,697.11                  |
| Accrued Interest                                | 0.00                        |
| Intergovernment                                 | 0.00                        |
| Notes Receivable                                | 1,346,648.61                |
| Due From Other Funds                            | 0.00                        |
| Inventory                                       | 0.00                        |
| Prepaid Items                                   | 8,321.73                    |
| Grants Receivable                               | 906,976.02                  |
| Infrastructure, Property, Machinery & Equipment | 13,402,115.43               |
| Amount for Long-Term Debt                       | 0.00                        |
| <b>Total Assets</b>                             | <b><u>16,897,720.41</u></b> |
| <b>Liabilities</b>                              |                             |
| Accounts Payable                                | 84,439.61                   |
| Accrued Payroll, Taxes, & Comp                  | 82,048.83                   |
| Deferred Revenue                                | 1,344,906.61                |
| Interest Payable                                | 0.00                        |
| Deposits Payable                                | 28,121.24                   |
| Retainage Payable                               | 0.00                        |
| Due To Other Funds                              | 0.00                        |
| Assessment Bonds Payable                        | 200,000.00                  |
| Notes Payable, Net                              | 2,652,000.00                |
| Capital Leases Payable                          | 73,515.31                   |
| Compensated Absences Payable                    | 26,974.43                   |
| Settlement Payable                              | 0.00                        |
| <b>Total Liabilities</b>                        | <b><u>4,492,006.03</u></b>  |
| Fund Balances-Beginning                         | 9,677,471.31                |
| Excess Revenue over (under) Expense             | <u>872,261.84</u>           |
| <b>Total Fund Balance</b>                       | <b><u>10,549,733.15</u></b> |
| <b>Total Liabilities and Fund Balance</b>       | <b><u>15,041,739.18</u></b> |

**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
March 15, 2011**

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager 

FROM: Stephanie Beauchaine, Finance Director

DATE: March 11, 2011

SUBJECT: **Loan Portfolio Review Status Update**

**RECOMMENDATIONS**  
Discussion.

**BACKGROUND AND DISCUSSION**

The City continues to pursue the 6 portfolio concerns reported in the Annual CDBG Loan Portfolio Review. Of the 6 concerns, we have made progress with one, and been in consultation with the City attorney regarding the remaining 5.

A closed session will be held on April 5<sup>th</sup> to discuss the concerns in detail with the City Attorney.

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675 Wildwood Avenue  
Rio Dell, Ca 95562  
(707) 764-3532



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
MARCH 15, 2011**

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager *[Signature]*

FROM: Karen Dunham, City Clerk

DATE: March 15, 2011

SUBJECT: Extension of Interim Urgency Ordinance, prohibiting the establishment of medical marijuana dispensaries in the City of Rio Dell, and repeal of Ordinance 266-2010.

**RECOMMENDATION**

1. Conduct public hearing on the extension of Interim Ordinance 266-2010, pertaining to the prohibition of medical marijuana dispensaries in the City; and
2. Make the necessary finding under Government Code Section 65858 that, to protect the public health, safety and welfare, an urgency measure in the form of an interim ordinance is necessary to protect uses that may be in conflict with a general plan, specific plan or zoning proposal that the legislative body or planning commission is considering or intends to study within a reasonable period of time.
3. Motion to adopt Ordinance 274-2011, an ordinance to extend Interim Urgency Ordinance 266-2010 which prohibited the granting of any land use approval, permit, business license or other entitlement for the purpose of establishing a medical cannabis dispensary, and prohibiting the establishment of medical marijuana dispensaries in the City of Rio Dell, for a period of up to 22 months, 15 days;
4. Motion to repeal Ordinance 266-2010.

**BACKGROUND AND DISCUSSION**

On April 10, 2010, the City Council approved Ordinance No. 265-2010, an interim urgency ordinance authorizing a moratorium on the legal establishment and operation of medical marijuana dispensaries within the City, followed by approval of Ordinance No.

266-2010 on May 4, 2010 extending the ordinance for a period of 10 months and 15 days pursuant to Government Code Section 65858. With the moratorium due to expire on March 19, 2011, the subject was brought back to the City Council and Planning Commission during a Joint Study Session held on March 1, 2011. The decision was unanimous to direct the City Manager to proceed with drafting of an ordinance banning medical marijuana dispensaries in the City of Rio Dell.

Since the time limit in the Interim Urgency Ordinance requires that the City Manager prepare the proposed amendments to the Business License and Zoning Ordinances for the Council's consideration and adoption in sufficient time before the expiration of this Ordinance, and to allow for the presentation of the Ordinance banning MMDs, it is necessary to extend the interim urgency ordinance for up to 22 months, 15 days as allowed under Government Code Section 65858.

**ORDINANCE NO. 274-2011****EXTENSION OF AN INTERIM URGENCY ORDINANCE OF THE CITY OF RIO DELL  
AUTHORIZING A MORATORIUM ON THE LEGAL ESTABLISHMENT AND  
OPERATION OF MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF  
RIO DELL PURSUANT TO GOVERNMENT CODE SECTION 65858.**

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THE CITY COUNCIL OF THE CITY OF RIO DELL DOES ORDAIN AS FOLLOWS:

**ARTICLE 1: SHORT TITLE, PURPOSE AND SCOPE**

§1.01 This ordinance shall be known and cited as the “Medical Marijuana Dispensary” Ordinance.

§1.02: Purpose: It is declared that this article is enacted for the purpose of imposing a moratorium on the legal establishment and operation of medical marijuana dispensaries and related uses. This would allow the City to add, review and amend ordinances in order to protect the public health, welfare, and safety from impacts associated with or implicated by use of property for Medical Marijuana Dispensaries.

§1.03: Scope: This ordinance shall apply to any and all locations within the city limits of Rio Dell.

§1.04: The provisions adopted in this ordinance shall not be exclusive but shall be cumulative and complementary to any other provisions of Rio Dell City ordinances and County, State and Federal laws. Nothing in this ordinance shall be read, interpreted or construed so as to limit any existing right or power of the City.

**ARTICLE 2: STATUTORY AUTHORITY / ENFORCEMENT AUTHORITY**

§2.01: Statutory and Enforcement Authority is granted in the following from the Health and Safety Code Section 11362.5 et seq. and Government Code Section 65858.

ARTICLE 3: ADMINISTRATION AND ENFORCEMENT

## §3.01 Administration and Enforcement

- 3.01.1 The Chief of Police of the City is the chief law enforcement officer for the City. The Chief of Police shall carry out the additional powers and duties imposed by this ordinance.

ARTICLE 4: DEFINITIONS

## §4.01 Definitions.

- 4.01.1 For the purposes of this ordinance, “medical marijuana dispensary” (MMD) means any profit or not-for-profit facility or location, whether permanent or temporary, where the owner(s) or operator (s) intends to or does possess and distribute marijuana for any purpose. A MMD includes a marijuana club as describe in *People v. Peron*, (1997) 59 Cal. App. 4<sup>th</sup> 1383, and further includes medical marijuana cooperatives. A MMD shall not include the following uses, as long as the location of such uses are otherwise regulated by the City’s Municipal Code: a clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code; a health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code; a residential hospice; or a home health agency licensed pursuant to Chapter 8 of the Health and Safety Code, as long as any such use complies strictly with applicable law including, but not limited to, Health and Safety Code section 11362.5 et seq.

ARTICLE 5: Necessity

- §5.01 In 1996 the voters of the State of California approved Proposition 215 (codified as Health and Safety Code Section 112362.5 et seq. and entitled it “The Compassionate Use Act of 1996”).
- 5.01.2 The intent of Proposition 215 was to enable seriously ill Californians to legally possess, use, and cultivate marijuana for medical use under state law.
- 5.01.3 As a result of Proposition 215, individuals have established MMDs in various cities.
- 5.01.4 Recently, persons have inquired with the City of Rio Dell regarding the establishment of MMDs within the city limits.
- 5.01.5 The experiences of California cities in the regulation and policing of MMDs have varied from city to city. Several California cities have experienced an increase in crime, such as burglary, robbery, loitering around the dispensaries, an increase in pedestrian and vehicular traffic and noise in the vicinity of the dispensaries, and the sale of illegal drugs,



- including the illegal resale of marijuana from dispensaries in the areas immediately surrounding such MMDs.
- 5.01.6 In October 2005, the State Board of Equalization instituted a policy that allows MMDs to obtain a seller's permit thus enabling the State to collect sales tax on medical marijuana sales.
- 5.01.7 Recent surveys with several California cities regarding the secondary effects of MMDs indicated the following mutual issues: street dealers attempting to sell to patrons entering/exiting dispensaries; smoking marijuana in public areas; driving while under the influence of marijuana; attempted burglaries of marijuana establishments; robberies of clients patronizing establishments; adverse impacts on neighboring businesses; physicians writing prescriptions for any patrol regardless of medical infirmity; nuisance behavior of patrons; and illegal drug sales from dispensaries.
- 5.01.8 The City has not adopted rules and regulations specifically applicable to the establishment and operation of MMDs. The lack of such controls may lead to a proliferation of dispensaries and the inability of the City to regulate these establishments in a manner that will protect the general public, homes and businesses adjacent to and near such businesses, and the patient or clients of such establishments.
- 5.01.9 Based on the adverse secondary impacts experienced by other cities and the lack of any regulatory program in the City regarding the establishment and operation of MMDs, it is reasonable to conclude that negative effects on the public health, safety and welfare may occur in Rio Dell as a result of the proliferation of MMDs and the lack of appropriate regulations governing the establishment and operation of such facilities.
- 5.01.10 A MMD currently is not an expressly permitted use or a use permitted subject to a conditional use permit in any zoning district in the City of Rio Dell. However, such establishments may seek to locate in any zoning district disguised as a permitted use or may seek to legalize this use.
- 5.01.11 The establishment of, or the issuance or approval of any permit, certificate of use and occupancy, or other entitlement for the legal establishment of a MMD in the City may result in a threat to public health, safety and welfare in that the Rio Dell Municipal Code does not currently regulate the location and operation of MMDs and does not have a regulatory program in effect that will appropriately regulate the location, establishment, and operation of MMDs in the City.
- 5.01.12 On April 20, 2010 the City council received a staff report and took testimony on the Interim Urgency Prohibition Ordinance, and then unanimously voted to adopt a moratorium on MMDs in the City.
- 5.01.13 On April 28, 2010 the Rio Dell Planning Commission received a staff report and took testimony on the referral from the City council, deciding on a 4-1 vote to recommend to the City council that there be enacted an ordinance specifying that the City not approve any business license nor land uses for enterprises or purpose that are contrary to federal law, state or local laws or ordinances, including MMDs, since medical marijuana clinics are still felony violations of federal controlled substances statutes.
- 5.01.14 The current moratorium is due to expire on March 19, 2011. As a result, the Rio Dell City Council and Rio Dell Planning Commission held a study session on March 1, 2011, received a staff report and took testimony on the Interim Urgency Prohibition Ordinance, then unanimously voted to direct the City Manager to draft an ordinance to ban the use of medical marijuana dispensaries in the City of Rio Dell. This time line does not allow

staff to develop the necessary amendments to the Zoning and Business License Ordinances; comply with the public hearing requirements for ordinance amendments and the publishing requirements. Therefore, an extension to current Interim Urgency Ordinance No. 266-2010 is essential for the public health, safety and welfare of the community.

#### §5.02 Enactment

- 5.02.1 For the period of this ordinance a MMD shall be considered a prohibited use in any zoning district of the City, even if located within an otherwise permitted use. No permits or authorizations for a MMD shall be issued while this ordinance is in effect.
- 5.02.2 The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060 (c) (2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060 (c) (3) the activity is not a project as defined in Section 15378 Title 14, of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly. Conversely, it prevents changes in the environment pending the completion of the contemplated municipal code review.
- 5.02.3 The City Manager or his/her designee/s/ shall: (1) review and consider options for the regulation of MMDs in the City, including, but not limited to the development of appropriate rules and regulations governing the location and operation of such establishments in the City; (2) meet with medical patients, advocates, law enforcement representatives, and other interested parties; and (3) shall file a written report describing the measure which the City has taken to address the conditions which led to the adoption of this ordinance with the City Council ten (10) days prior to the expiration of this interim urgency ordinance, or any extension thereof, and such report shall be made available to the public.
- 5.02.4 This interim urgency ordinance is adopted pursuant to Section 65858 of the California Government Code.
- 5.02.5 This interim urgency ordinance shall take effect immediately upon its adoption by a four-fifths (4/5) vote of the City Council. This interim urgency ordinance extension will remain in effect for up to 22 months and 15 days.

ARTICLE 6: SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance.

ARTICLE 7: EFFECTIVE DATE: This interim urgency ordinance becomes effective immediately after the date of its enactment.

ARTICLE 8: ORDINANCE REPEAL: Upon passage of this ordinance, Interim Urgency Ordinance 266-2010 is hereby repealed.

ARTICLE 9: POSTING REQUIREMENT: The City Clerk shall cause publication of this ordinance within 15 days after passage in a newspaper of general circulation published and circulated in the city, and posted in at least three public places in the city.

ARTICLE 10: ENACTING DATE AND SIGNATURES: Passed, approved and adopted by the City Council of the City of Rio Dell at a regular meeting on March 15, 2011 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Julie Woodall, Mayor

ATTEST:

\_\_\_\_\_  
Karen Dunham, City Clerk